

REMARKS

In the specification:

- The paragraph at page 6 lines 21 through 24 was amended to correct a grammatical error;
- The paragraph at page 8 lines 11 through 23 was amended to correct various typographical errors;
- The paragraph at page 9 lines 24 through 27 was amended to correct a grammatical error;
- The paragraph at page 10 lines 7 through 12 was amended to correct a grammatical error; and
- The paragraph at page 11 lines 11 through 21 was amended to correct a typographical error.

In the claims:

- Claims 31 and 64 have been canceled without prejudice;
- Claim 8 was amended to change the word “electron” to “electronic”;
- Claims 1, 10, 21, 23-26, 29, 32-35, 54, 56-63 and 65-67 were amended to place the claims in better form.

§102 Rejections

In the Office Action, claims 1-30, 33, 35-63 and 66 were rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent 6,177,931 to Alexander et al., hereinafter “Alexander.”

Brief Description of the Cited Art

Alexander describes a technique that uses viewer profile information to provide customized presentation of advertising to a viewer of an Electronic Program Guide (EPG). See Alexander, Abstract. According to the technique, viewer profile information is gathered either directly from the viewer or learned by observing and recording actions taken by the viewer with respect to the EPG. See Alexander, column 28, line 11 to column 29 line 11. The viewer profile information is analyzed to derive preferences and characteristics associated with the viewer. See Alexander, column 29, line 12 to column 30, line 44. These preferences and characteristics are

then used to customize various aspects of the EPG including the order of channels in the EPG as well as scheduling the telecast of advertisements displayed for viewing by the viewer. See Alexander, column 30, line 45 to column 31, line 8 and column 32, lines 23-54.

Brief Description of the Invention

The present invention relates to a technique for viewing promotions on a viewing device. According to an aspect of the technique, a network device coupled to the viewing device receives promotions and a transmission schedule wherein the transmission schedule contains control data that specifies conditions for activating the promotions for display on the viewing device. A particular promotion is activated for viewing on the display device after a condition associated with the promotion occurs.

Differences between the Cited Art and the Present Invention

The MPEP at § 2131.01 states that:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”
MPEP § 2131.01 quoting *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Representative claim 1 recites:

1. A system for displaying promotions on a viewing device, comprising:
a display which is viewable by a viewer using the viewing device; and
a network device coupled to the viewing device, the network device
configured to:
 - (a) ***receive a promotion and a transmission schedule wherein the transmission schedule contains control data that specifies a condition for activating the promotion for display in the display, and***
 - (b) in response to the condition occurring, activate the promotion for display in the display.

The Applicants respectfully submit that Alexander fails to expressly or inherently describe the Applicants' claimed ***receiving a promotion and a transmission schedule wherein the transmission schedule contains control data that specifies a condition for activating the promotion for display in a display.***

At best, Alexander describes linking an advertisement with a time and channel of a program and enabling a user to select the program by pressing a select key on a remote control unit. See Alexander, column 4, lines 28-43 and column 5, lines 7-14. However, Alexander fails to describe how this link is made, let alone receiving a transmission schedule that contains conditions for activating promotions as is claimed by the Applicants.

Because of the absence of *receiving a promotion and a transmission schedule wherein the transmission schedule contains control data that specifies a condition for activating the promotion for display in a display* in Alexander, the Applicants respectfully request that the above rejection to claims 1-30, 33, 35-63 and 66 be withdrawn.

§103 Rejections

In the Office Action, claims 31 and 64 were rejected under 35 U.S.C. §103 as being unpatentable over Alexander in further view of U.S. Patent 6,795,973 to Estipona, hereinafter “Estipona.”

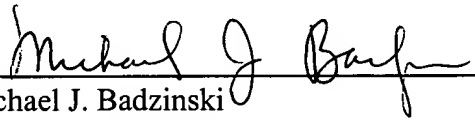
The Applicants have canceled claims 31 and 64 without prejudice, therefore it is believed that a response to this rejection is not necessary.

CONCLUSION

All independent claims are believed to be in condition for allowance. All dependent claims are believed to be dependent on allowable independent claims and therefore believed to be in condition for allowance. It is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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Dated: 8/18/05